



**SMITHFIELD TOWN COUNCIL AGENDA**  
**April 5, 2011 at 7:30 p.m.**  
**Held at Smithfield Center, 220 N. Church Street**

**A. INFORMATIONAL SECTION:**

1. Manager's Report
  - a. March Activity Report

**B. UPCOMING MEETINGS AND ACTIVITIES:**

- |          |   |  |
|----------|---|--|
| April 5  | - | 7:30 p.m. – Town Council Meeting   |
| April 12 | - | 7:30 p.m. – Planning Commission Meeting  |
| April 18 | - | 6:00 p.m. – Client & Town Business Appreciation Night  |
| April 19 | - | 6:30 p.m. – Board of Zoning Appeals  |
| April 25 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)<br>Police Committee<br>Water and Sewer Committee<br>Finance Committee                            |
| April 26 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)<br>Fire and Rescue Committee<br>Public Works Committee<br>Public Buildings and Welfare Committee |

NOTE: All of the above public meetings will be held at the Smithfield Center, unless otherwise noted.

**C. Public Comments:**

The public is invited to speak to Council on any matters, except scheduled public hearing(s). There will be a separate sign up sheet for public hearings. For public comments please use the appropriate sign-up sheet. Comments are limited to five (5) minutes per person. Any required response(s) from the Town will be provided in writing following the meeting.

- A. Briefing by Mr. Al Casteen, Isle of Wight County Board of Supervisors, Smithfield District
- B. Presentation by Mr. Dana Dickens, Hampton Roads Partnership, on Vision Hampton Roads

**D. Council Comments**

**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.** Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Town Council Meetings. ADA compliant hearing devices are available for use upon request. Please call (757) 356-9939 at least 24 hours prior to the meeting date so that proper arrangements may be made.

## CONSENT AGENDA ITEMS

- C1. Motion to Authorize Additional Street Closure Request for the 300 Block of Main Street for the Spring Mustang Show Saturday, May 14th  
Police Committee Chair, Denise N. Tynes
- C2. Resolution of Support/Street Closure for Veterans Day Parade and Festivities November 11, 2011  
Police Committee Chair, Denise N. Tynes **TAB # 1**
- C3. Invoices Over \$10,000 Requiring Council's Consideration:  
Finance Committee Chair, John L. Graham
- |   |              |
|---|--------------|
| a. Clark Nexsen                                     | \$ 11,642.04 |
| b. English Construction Company                     | \$199,792.53 |
| c. Buchart Horn, Inc.                               | \$ 16,445.02 |
| d. Buchart Horn, Inc.                               | \$ 21,991.32 |
| e. Excel Paving Corporation (Streetscape – Phase V) | \$ 64,149.73 |
| f. Excel Paving Corporation (Waterline Replacement) | \$123,939.52 |
| g. Draper Aden Associates                           | \$ 50,925.44 |
- C4. Motion to Approve Amended Renewal Agreement with Dean Stallings for Farming Operations at Windsor Castle Park  
Public Buildings and Welfare Committee Chair, Dr. Milton Cook **TAB # 2**
- C5. Motion to Accept the Fee Reduction Schedule for Use of Town Rental Property by Town Employees  
Public Buildings and Welfare Committee Chair, Dr. Milton Cook
- C6. Motion to Authorize the Town Manager to Advertise a Public Hearing for Disposition of Town Property Located at 113 North Church Street  
Public Buildings and Welfare Committee Chair, Dr. Milton Cook

## ACTION SECTION

1. PUBLIC HEARING: Special Use Permit – 223 Washington Street
- a. Staff Presentation by William T. Hopkins, Director of Planning, Engineering, and Public Works
  - b. Public Hearing Opened
  - c. Public Hearing Closed
  - d. Consideration: Public Buildings and Welfare Committee Chair, Dr. Milton Cook

2. **PUBLIC HEARING: Proposed Issuance of General Obligation Bonds between the Town and County for the Acquisition of 911, 913, 913D South Church Street (formerly Sentara Property)**
  - a. Staff Presentation by Mr. William H. Riddick, III, Town Attorney
  - b. Public Hearing Opened
  - c. Public Hearing Closed
  - d. Consideration: Ordinance Adoption Required (Forthcoming)  
  
Public Buildings and Welfare Committee Chair, Dr. Milton Cook  
William H. Riddick, III, Town Attorney
  
3. **PUBLIC HEARING: Zoning Ordinance Amendments to Change Payday Lending Establishments, Check-cashing Establishments and Pawn Shops from Permitted Uses to Uses Permitted by Special Use Permit** **TAB # 3**
  - a. Staff Presentation by William T. Hopkins, Director of Planning, Engineering, and Public Works
  - b. Public Hearing Opened
  - c. Public Hearing Closed
  - d. Consideration: Public Buildings and Welfare Committee Chair, Dr. Milton Cook
  
4. **Motion to Approve the Town Council Minutes for the Meetings of March 1<sup>st</sup>, 2011 & the Continued Town Council Meeting of March 28<sup>th</sup>, 2011.**  
Town Attorney, William H. Riddick
  
5. **Old Business:**
  - a. **Motion to Approve Lease Agreement between Town of Smithfield and the Veterans of Foreign Wars Post 8545 at 223 Washington Street** **TAB # 4**
  - b. **Motion to Accept Deed for the Purchase of County Property located at 911, 913, and 913D South Church Street (formerly Sentara Property)**
  - c. **Motion to Authorize the Town Manager to Negotiate a Contract with General Contractor for Repair and Renovation Services**
  
6. **New Business:**
  
7. **Closed Session:** (if necessary)
  
8. **Adjournment**

**April 1, 2011**

**TO: SMITHFIELD TOWN COUNCIL**

**FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER**

**SUBJECT: MONTHLY ACTIVITY REPORT – March 2011**

**TOWN MANAGER'S OFFICE:**

- a. Participated in Red Cross training for all town employees on CPR/AED and Bloodborne Pathogens.
- b. Attended the following meetings: Smithfield 2020, Windsor Castle Park Foundation Board, Smithfield Beautification Project- regular Monday morning meetings and Chamber Hard Hat Happening, Pinewood Heights Management Team, Leadership Isle of Wight Planning Committee, Hampton Roads Partnership Board, Hampton Roads Mayors and Chairs in Norfolk and HRPDC in Chesapeake.
- c. Finalized initial revisions to Personnel Policies Manual and forwarded to staff for review. Will present to council in April.
- d. Issued RFP, reviewed proposals and interviewed firms for General Contractor services for remodeling and renovation of future SPD and Manager's offices.
- e. Participated in APWA Accreditation process and Self Assessment with Public Works staff.
- f. Utilized one day of vacation leave.

**TOWN CLERK'S OFFICE:**

- a. Staff Participated in Red Cross Training at the Smithfield Center on March 3<sup>rd</sup> and 4<sup>th</sup>.
- b. Staff Attended Windsor Castle Park Foundation Board meeting, March 7<sup>th</sup>.
- c. Attended Pinewood Heights Management Team Meeting on March 15<sup>th</sup>.
- d. Transcribed and proofed the monthly minutes for Town Council, Planning Commission, and BHAR
- e. Prepared March Town Council Committee Agenda and April Town Council Agenda.
- f. Attended Town Council Committee meetings on March 28<sup>th</sup> and 29<sup>th</sup> and prepared summary reports of the committees.
- g. Attended continued Town Council Meeting on March 28<sup>th</sup> – Public Hearing for the Pinewood Heights Redevelopment Project – Phase II

- h. Attended Intergovernmental Relations Committee on March 28<sup>th</sup> to take summary minutes.
- i. Prepared Spring Newsletter for printers

#### **TREASURER'S OFFICE:**

- a. Participated in CPR training at the Smithfield Center on March 4.
- b. Prepared January financial statements and began budget preparations.
- c. Swore in the new police officer, Robert Hatfield, on March 11.
- d. Attended the Pinewood Management Team meeting on March 15 at the Smithfield Center.
- e. Met with Peter Stephenson, Tracy James, and Stacy Viles of TFA Benefits on March 17 to discuss upcoming health plan renewal and timeline for quotes and open enrollment.
- f. Met with Bill Hopkins, Sonja Pruitt, and Jesse Snead on March 29 to discuss overhead allocations for Public Works, Highway, Water, and Sewer.
- g. Met with Bill Hopkins, Sonja Pruitt, and Peter Stephenson from the Town and Andy Snyder and Scott Schiller from Draper Aden on March 30 to discuss budget projections for the sewer consent order.
- h. Prepared and submitted the Annual Return/Report of Employee Benefit Plan (Form 5500) to the Internal Revenue Service.
- i. Conducted interviews to fill the vacant clerk position in the Treasurer's office. Narrowed the field down to several qualified candidates but have not yet reached a decision.

#### **PUBLIC WORKS:**

- Staff performs the following duties on a monthly basis:  
Miss Utility, read meters for billing and to transfer property owners, cut offs and cut-ons, check pump stations daily, install and repair street signs, replace broken meters and install new ones, take a minimum of 8 water samples and have them tested, flush water lines, repair radio or touch pads after each reading if needed, maintenance on town owned buildings and Police Department building.
1. **Sewer Line Repairs and Maintenance:**
    - a. Cleaned sewer line blockage at 1029 S. Church St. - used sewer machine to clean out lateral.
    - b. 216 Jordan Dr.- repaired 10ft of pipe due to tree roots that had grown into the pipe which caused flow of sewer to be backing up from time to time.
    - c. We have cleaned approximately 1200 ft. of pipe with the Vactor truck .

2. Sewer Pump Station Repairs and Maintenance:

- a. Weekly checks on all 27 pump stations.
- b. Fixed and replaced pumps at Minton Way and Pinewood Pump Stations.
- c. Serviced all Town owned generators.
- d. Used vactor truck to clean grease out of 6 pump stations this month – this work was previously contracted out.
- e. Draper Aden Associates completed manhole inspections and smoke testing of the sewer lines.

3. Water Line Repairs and Maintenance:

- a. Repaired broken water service line at 372 South Church St.
- b. Road patches were completed in-house for previous water leaks on Underwood Ln and South Church St.
- c. Installed new service at 366 S. Church St. Meters could not be moved to front of duplex according to plans. Town Staff with the assistance of Excel Paving ran new service line and installed new line sets for both meters.
- d. Staff inspected and assisted Excel Paving in the installation of the new service lines on Phase 1 of the new water main on South Church St. Phase 1 of the new main was tested and sampled and put on-line. All services lines will be completed by the end of March and old water main will be abandoned.

4. Well Repairs and Maintenance

- a. Continued to monitor chlorine levels and complete daily well readings at all well houses.
- b. Pressured washed and painted Jefferson, Cary St. and Jersey Park well houses.
- c. Removed fallen down tree at the Battery Park Water storage tank. Tree had fell on fence during high winds. No damages occurred.

5. Water Treatment Plant

- a. Installed 16" high service discharge line.
- b. Installed 8" line to concentration pump station.
- c. Installed 8" well flushing line
- d. Installed 16" discharge line to South Church St water tank.
- e. All ground Piping installed was pressured tested and inspected by town staff.
- f. Block and brick work for outside of treatment plant is in process.

6. Safety

- a. Monthly truck inspections.
- b. All Public Works employees were certified in CPR/AED and Bloodborne Pathogens – training provided by Red Cross.
- c. Monthly playground inspections.

7. Miscellaneous

- a. Serviced Vector Truck.
- b. Repaired burnt out lights on Main Street.
- c. Cleaned off walking trails at the Windsor Castle Park once a week by grounds crew or as needed. Trash cans, recycle bins, information stands and doggie bags are emptied, cleaned or refilled as needed on Mondays and Fridays.
- d. Grounds crew cleaned out ditches and storm drains on Main St , Wilson Rd, Great Springs Rd, North and S. Church St . Maintained trees and rose bushes on Haydens Ln. also removed trash and undergrowth at Evergreen Acres Cemetery and trimmed bushes at the PD.

**PLANNING AND ZONING:**

1. Planning Commission – 03/08/11

- A. \*\*\*PUBLIC HEARING\*\*\* - Private Club or Lodge – 223 Washington Street – Town of Smithfield, applicant – Recommended for approval.
- B. \*\*\*PUBLIC HEARING\*\*\* - Ordinance Amendments - Article 3.G: R-O, Residential Office, Article 3.H: D, Downtown, Article 3.I: HR-C, Highway Retail Commercial, Article 3.J: PS-C, Planned Shopping Center, Article 3.K: I-1, Light Industrial, Article 3.L: I-2, Heavy Industrial – Town of Smithfield, applicant – Recommended for approval.
- C. Final Site Plan Review for Tractor Supply, Co. — A 3.65 Acre Portion of Parcel #32-01-005 Bennis Church Boulevard – Beth Livingston, TKCCXXXIX, LLC, applicants - Approved.
- D. Entrance Corridor Design Review – 401 N. Church Street – Smithfield Foods Test Kitchen – Smithfield Foods, Barry Moss, applicants - Approved.
- E. Preliminary Site Plan Review - 401 N. Church Street – Smithfield Foods Test Kitchen – Smithfield Foods, Barry Moss, applicants - Approved.

2. Rezoning Applications under review

- A. None
- 3. Special Use Permit Applications under review
  - A. 223 Washington Street – Application for Private Club or Lodge
- 4. Subdivision and Site Plans under review
  - A. Lakeview Cove Subdivision revision
  - B. Luter Family YMCA Expansion
  - C. Smithfield Foods Test Kitchen
- 5. Subdivision and Commercial Sites Under Construction and Inspection
  - A. Church Square, Phase I (95% complete)
  - B. Smithfield Manor Townhomes (Formerly Halstead Landing (85% complete)
  - C. Lakeview Cove Condos (95% complete)
  - D. Fire Station Building – 1802 South Church Street
- 6. Board of Zoning Appeals 03/15/11
  - A. Special Yard Exception- 1101 Magruder Road- Approved
- 7. Board of Historic & Architectural Review 03/15/11
  - A. Proposed Window Replacement – 223 South Mason Street – Non-contributing – Jack Smith, Smithfield Union, applicants – Approved.
  - B. Proposed Entrance – 223 Washington Street – Non-contributing – Charlie White, Veterans of Foreign Wars Post 8545, applicants – Approved.

**ENGINEERING:**

- A. Church Square, Phase I, contractor has installed E & S controls as required by the Town and the approved site plans.
- C. Smithfield Manor, contractor has installed E & S controls as required by the Town and the approved site plans. Builder continues construction of town homes within project. Project is now under the one-year warranty period.

- D. Lakeview Cove, contractor Wolf Constr. has installed all E & S controls as per the approved site plans and required by the Town. No condominiums are under construction at this time.
- D. R. O. Plant, contractor English Const. has installed all E. & S. controls as per the approved site plans and required by the Town. Contractor has erected exterior CMU walls for control building. Contractor continues installation of ruff-in plumbing and electrical systems for building area.
- E. Fire Station S. Church St., contractor A. R. Chesson, has erected and is maintaining all E. & S. controls as per the approved site plans and required by the Town. Contractor continues ruff-in of plumbing and electrical facilities within building. Contractor has also started pulling electrical cable and communications cable. Contractor continues ruff-in of building ventilation system. Contractor continues installation of brick facade on East side of exterior of building. Contractor completed installation of gypsum wallboard in living area, mudding joints and sanding same. Contractor has completed installation of ceramic tile walls and floors. Contractor has installed overhead door system.
- F. South Church Street Streetscape Project, contractor has focused this month on the installation of the new water main beginning at Sta. 112+50 to Sta. 124+00. Contractor has begun installation of water main service laterals. Contractor began removal of existing sidewalk on south bound lane. Contractor also began installation of Verizon & Charter Cable conduit system from Sta. 122 + 00 to Sta. 125 + 00.

April 1, 2011

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE POLICE COMMITTEE MEETING  
HELD ON MONDAY, MARCH 28<sup>TH</sup>, 2011

The Police Committee held a meeting on Monday, March 28<sup>th</sup>, 2011 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mrs. Denise N. Tynes, Chair; and Mr. Andrew C. Gregory. Other Council members present were Mr. T. Carter Williams, Vice Mayor; Dr. Milton Cook, and Mr. David Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins III, Director of Planning, Engineering, and Public Works; Ms. Lesley Greer, Town Clerk; Mr. Alonzo Howell, Smithfield Police Captain; and Ms. Ellen D. Minga, Town Treasurer; Others in attendance were Ms. Terry Rhinier, Tourism Events Coordinator; and Mr. Albert Burckard of the Isle of Wight Citizens Association. The media was represented by Diana McFarland of The Smithfield Times.

Committee Chair, Ms. Denise N. Tynes, called the meeting to order

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCILS AGENDA.**

1. Additional Street Closure Request Spring Mustang Show - Ms. Terry Rhinier of Tourism explained that the Mustang Club has requested additional street closure of the 300 block of Main Street for their show on May 14th. Ms. Rhinier stated that tourism is very concerned about closing it because this is the first time this club has had a show here in Smithfield. She explained that they will be monitoring the number of cars participating and if they have not filled a good portion of the 300 block by 11:00 a.m. it will be reopened. Ms. Rhinier also stated in the packet was a resolution from Smithfield Historic District Business Association (SHDBA) supporting street closures for these types of events. Discussion was held on placement of signage to inform citizens how to get to the Post Office during the street closure. Ms. Rhinier stated that she would make sure signage was put out. Committee recommends approval of the additional street closure.

2. Request by Isle of Wight Citizens Association for Resolution of Support and Street Closure for Veterans Day Parade and Festivities November 11, 2011 - Mr. Albert Burckard of the Isle of Wight Citizens Association was present to request street closure for a Veteran's Day Parade to be held November 11, 2011. He stated that the parade would follow the same route as last year and it would begin at 11:11 a.m. to correspond exactly with the 1918 end of World War I. He stated that the Veterans of Foreign Wars (VFW) and the American Legion have been informally notified of the event but the IOW Citizens Association needs approval from Town Council before they are formally notified. Committee expressed some concern over closing the streets on a Friday. It was decided that it is a small parade and the streets would only be closed for a short time period. Committee recommended approval of street closure request.

**B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. Operational Updates – Captain Howell stated that as far as operational updates he would like to report for informational purposes only that the department had received a complaint from a resident in the Moone Plantation area of a cross burning. The resident called the police but was unable to provide a description of the vehicle that was believed to have been involved. However, since that time the department continues to develop leads on who was involved. The department has recently participated in the traffic checks along with the County and State Police on Route 10. Captain Howell stated that he was happy to say that the Smithfield Police Department did not make many arrest as far as DUI's. Captain Howell also reported that the department is happy to announce they have a new employee, Officer Robert Hatfield. Officer Hatfield was sworn in on March 11<sup>th</sup>. He comes to us from Norfolk International Airport and is a retired officer from the City of Norfolk. Captain Howell reported that as far as the soon to be new police station we continue to move forward. He explained that he, Mr. Stephenson, and Mr. Hopkins have interviewed contractors for renovations to the building. The list has been narrowed down and staff's recommendation has been provided to committee.

2. Review of Lighting Survey – 15433 Waterworks Road – Mrs. Tynes reported that on February 13, 2011 a lighting survey was conducted at 15433 Waterworks Road. The results indicated that there was one light pole at the intersection of Route 258 and Waterworks Road. No other light poles exist on Waterworks Road in the town limits. The Town Manager stated that he had received written request to have a street light installed at this location. Mrs. Tynes stated that in order to be consistent with past street light request and based on the fact that only one resident is requesting the light the request shall be denied at this time. The Town Manager will provide written notice to the resident on committee's decision.

3. ADDITIONAL ITEM DISCUSSED: Utility Trucks Parked in Neighborhoods – Mrs. Tynes stated that she wanted to bring up a concern from the citizens in her neighborhood. She explained that there's a large utility truck that parks on the street. Visibility when vehicles are parked on the street is not good and creates a safety hazard. Mrs. Tynes asked if it would be possible to send a letter to residents to have truck

removed. Mr. Hopkins stated a letter was sent out once before for the same reason to these residents. Discussion was held that vehicles are permitted to park on the street as long as they do not interfere with traffic flow. However commercial vehicles are not permitted. Captain Howell stated that he would research the town ordinances to see if he could find an ordinance that is applicable to the resident being in violation of the town ordinances and try to work something out with them.

The meeting adjourned at 4:26 p.m.

April 1, 2011

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE WATER & SEWER COMMITTEE  
MEETING HELD ON MONDAY, MARCH 28<sup>TH</sup>, 2011

The Water & Sewer Committee held a meeting on Monday, March 28<sup>th</sup>, 2011 at 4:27 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Andrew C. Gregory, Chairman; and Mr. T. Carter Williams, Vice Mayor; Other Council members present were Mrs. Denise N. Tynes, Dr. Milton Cook, and Mr. David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Ms. Lesley Greer, Town Clerk; Mr. William T. Hopkins III, Director of Planning, Engineering, and Public Works; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick, Town Attorney; Mr. Alonzo Howell, Police Captain; and Ms. Jimmie Minton, Office Manager Smithfield Police Department. The media was represented by Ms. Diana McFarland of The Smithfield Times.

Committee Chairman, Andrew C. Gregory called the meeting to order.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. Reverse Osmosis Water Treatment Facility

a. Construction Update – Mr. Hopkins reported that he had visited the site recently and the construction is really looking nice. He stated that all the brick work and block work on the exterior of the building is expected to be completed by April 11<sup>th</sup>. The roof will not be installed until after the large pumps and equipment are placed inside. The equipment is expected to be installed by end of April and roof will be installed by end of May. Mr. Hopkins reported that the project is approximately twenty-one days ahead of schedule. The Town Manager reported that staff is looking at starting training in the July/August timeframe. Then once we have completed the water modeling and performed lots of testing we may be ready to bring online after Labor Day.

b. Projected Operating & Maintenance Cost – The Town Manager reported that included in the packet was our best estimate of projected costs that we do not pay currently. Once we bring this facility online we will start to incur expenses annually. The Town Manager stated that we will need to hire one full time person to operate this plant. The town currently has two licensed waterworks operators. The facility is required to

have at least one person with a Class 3 Waterworks License. He continued to explain that in addition to their other duties the two that are licensed one of them does quite a bit on the sewer system as well. Staff would recommend advertising in June to bring someone on in July to be included in the training. This person would be dedicated to this facility. The Town Manager also stated they would recommend finding someone who has a Class 3 Waterworks License so we have two people that meet the requirement to operate the facility. The Town Manager stated that he has received a job description from James City County who operates an R.O. Plant. They have offered any technical assistance to have their folks come over to help with training. The plant will have to be checked every day. Discussion was held on proceeding with doing a rate study on water charges. Ms. Minga stated that she was ready to start working on the rate study now while we are in the budget process but need some feedback from Committee on a couple of things. She mentioned that last month an update was given on the meeting with DEQ about our Conservation Policy. She asked if we are planning on doing anything about it. Mr. Gregory stated anything we do must be conservation neutral. He stated that after talking to DEQ and Mr. Snyder he would support changing the conservation plan with the understanding we will need to offset it with the water rates. The cost might not be reduced to the consumer but at least you are being charged for what you are using. A lengthy discussion was held on how to charge for water. Mayor Hare asked if Mr. Gregory had any ideas how to offset the conservation policy change. Mr. Gregory replied it would be offset with the water rate. The amount the consumer would pay would be based on pure water usage and higher volume of water usage will be penalized with a higher rates under a tiered system. Mayor Hare asked if the town would need to notify DEQ of changes to policy. Mr. Gregory stated they would like for us to submit a preliminary plan of what we are planning to do. That way they can review it and give us comments back. A lengthy discussion was held on trying to determine how the town can dispose of the discharge water from the R.O. Plant instead of sending to HRSD. Committee asked if it was possible to construct a mini processing plant so water could be reused instead of paying to have it sent to HRSD. The Town Manager stated that staff would revisit to see if any options have come available. In the meantime the Town Treasurer will begin working on the rate study for water and sewer.

2. Sewer Infiltration and Inflow Program Update – Mr. Hopkins reported that the smoke testing has been completed. The smoke testing was done in six different areas around town. The test were preformed in basins where the following pump stations are located: Pinewood Heights, James Street, Drummonds Lane, Main Street, Minton Way, and Waterford Oaks. Mr. Hopkins stated that nothing major was found. However, there were some problems found that will need to be addressed. Draper Aden Associates is working on putting all the data together and should provide the town with a report in a couple of months. This item was provided for informational purposes only.

The meeting adjourned at 4:55 p.m.

April 1, 2011

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING  
HELD ON MONDAY, MARCH 28<sup>TH</sup>, 2011

The Finance Committee held a meeting on Monday, March 28<sup>th</sup>, 2011 at 4:56 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Andrew C. Gregory, and Dr. Milton Cook. Other Council members present were: Mrs. Denise N. Tynes, Mr. T. Carter Williams, Vice Mayor, and Mr. David M. Hare, Mayor. Staff members present were: Mr. Peter M. Stephenson, Town Manager; Ms. Ellen Minga, Town Treasurer; Mr. William T. Hopkins, III, Director of Planning, Engineering, and Public Works; Ms. Lesley Greer, Town Clerk; Mr. Alonzo Howell, Smithfield Police Captain; and Ms. Jimmie Minton, Office Manager for the Smithfield Police Department and Mr. William H. Riddick, Town Attorney; The media was represented by Diana McFarland of The Smithfield Times.

Councilman Andrew Gregory called the meeting to order.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCIL'S AGENDA.**

1. Invoices Over \$10,000 Requiring Council Consideration:
  - a. Clark Nexsen \$ 11,642.04
  - b. English Construction Company \$199,792.53
  - c. Buchart Horn, Inc. (Progress Report # 32) \$ 16,445.02
  - d. Buchart Horn, Inc. (Progress Report # 33) \$ 21,991.32
  - e. Excel Paving Corporation (Streetscape – Phase V) \$ 64,149.73
  - f. Excel Paving Corporation (Waterline Replacement) \$123,939.52
  - g. Draper Aden Associates \$ 50,925.44

Committee reviewed all of the above invoices and after some discussion recommended approval of all as they are standard billings from the town's consultants and contractors for various projects that are ongoing.

**B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. January Financial Statements – Ms. Minga reported that she had included a lot of notes this time mainly because we are getting ready to discuss budget. She stated that she made a note on anything that stood out at all to give a brief explanation for it. Overall the town is pretty much on target. Committee continues to be pleased with the process of getting financial statements in the packets with summary notes attached. Ms. Minga stated that this process helps her as well.

2. Cash Balances – Mr. Gregory asked about how the Sewer Fund was doing. Ms. Minga explained that right now they are holding their own. She stated they do not have a huge excess but we paid off their back debt amount by eliminating the Sewer Escrow Fund that was no longer encumbered by a loan. Ms. Minga stated that until we look at the rates they are okay. Mr. Gregory asked about the Water Fund. Ms. Minga stated they are doing okay mainly because a lot of the cost they have had so far for this year are the actual R.O. Plant and we are doing draw downs from the loans we took out to cover these cost. The town has not had a lot of capital expenses. Ms. Minga did mention that the CD rates are horrible. She is looking into moving CD's to Money Market Accounts. Ms. Minga also mentioned the Pinewood Heights Special Project fund is higher because we just received the drawdown request for multi-year 2 from the State. That money will be used for closings. – Water = \$539,587.41; Water Debt Service = \$1,046,870.85; Water Capital Escrow Availability Fees = \$1,049,851.23; Water Development Escrow = \$223,542.79; Water General Obligation Funds = \$2,238,745.13; **Subtotal Water = \$5,098,597.41.** Sewer = \$142,345.72; Sewer Bond Escrow = \$38.57; Sewer Development Escrow = \$315,083.69; Sewer Capital Escrow Availability Fees = \$655,726.95; Sewer Compliance = \$520,994.65; **Subtotal Sewer = \$1,634,189.58.** Highway = **\$163,872.11.** General Fund = \$1,912,990.53; Payroll = \$29,136.67; Money Market General Fund Town Bank = \$223,315.76; Money Market General Fund Farmers Bank = \$32,794.18; General Fund Capital Escrow = \$50,382.69; Certificate of Deposit = \$653,910.72; Certificate of Deposit Police Dept = \$35,624.25; Special Project Account (Pinewood) = \$386,917.62; Pinewood Heights Escrow = \$25,681.98; South Church Street Account = \$1,124,870.94; **Subtotal General Fund = \$4,475,625.34.** Beautification = \$7,786.41; Money Market Beautification = \$298,051.98; **Subtotal Beautification = \$305,838.39; Rising Star = \$63.49. TOTAL ALL FUNDS = \$11,678,186.32.**

3. FY12 Budget Revenue Forecasting – Ms. Minga reported on the revenue forecasting as follows:

- Real Estate: Ms. Minga stated that when the town started with the budget last year we did not have the reassessment numbers. Since that time reassessments went down approximately 3% so we are pretty much on target. Ms. Minga reported this year's billing with taking out Elderly Relief and Deferred it was \$1,717,280.00.

We have also done a few abatements and supplements so we have \$1,716,126.00 to collect. As of Friday, March 25<sup>th</sup> we have collected \$1,659,386.00 with a delinquent balance of \$56,719.00. This balance is a little higher than we normally are this time of year. Delinquent notices have been mailed out. Ms. Minga stated that of the \$56,719.00 we have two accounts that make up \$20,000.00. Ms. Minga stated that if these high two delinquent accounts are collected it will put us at \$1,711,813.00 as collected. She stated that because the actual reassessment came in 3% lower we should be in pretty good shape.

- Delinquent Real Estate Taxes – The town has collected \$23,782.00 so far this year. Last year at the end of the fiscal year we had collected \$32,100.00. She stated that she is reporting their collections will be low from now until June.
- Personal Property - Personal Property is a little bit more difficult to project because of the way the town does vehicle licenses. Ms. Minga stated that it was definitely a good move to add tags to the Personal Property tax bills. So far what the town has as uncollected is \$75,089.00. Ms. Minga stated that with the slower economy she does not think it is too bad.
- Personal Property Delinquent – This item has been all over the map. We have collected a lot of delinquent taxes this year due to outsourcing. Outsourcing we were able to get a lot more accurate addresses than in the past.
- Franchise Taxes – Ms. Minga stated that one of the banks that pays this dropped significantly. She stated that she has actually received schedules from all the banks except one to what their actual taxes are going to be. It has been estimated to be the same as last year.
- Cigarette Taxes – Cigarette taxes are always hard to project because it is basically the wholesalers. Sometimes you sell a bunch of stamps to them and then they don't use them and request a refund. Ms. Minga stated that at this time we are running a little high year to date. She explained that she took an average from the last three years just to get close. Committee asked if the town could raise cigarette tax without going through the state. The Town Attorney replied yes.
- Transient Occupancy – Ms. Minga stated that this one over the past few years has been really up and down. At this time the town has received three out of four quarters for this Fiscal Year. She explained that since this year's third quarter is a lot higher than last year's third quarter she looked at the fourth quarter over the last few years to make her projections. That would put the projection at around \$128,000.00.
- Meals Tax – Ms. Minga reported that meals tax is staying pretty strong. Meals tax is looked at on a business by business basis. At this time it remains on budget.
- Communication Tax – Ms. Minga explained that the difficult part of this is all telecommunication is paid to the state. There is a formula that they use and the administrative fee used is not consistent. Based on February to June 2010 we are \$10,000.00 higher than last year this time.

- Meals Tax Audit – Ms. Minga reported that when she spoke to the County about meals tax we have some that pay monthly and some that pay quarterly. The County only allows meals tax to be paid monthly. They do not give the option to pay quarterly. She stated that it keeps their meals tax from getting out of hand. Ms. Minga mentioned that Committee may want to consider a change. At this time in our Code we give them the option to pay monthly or quarterly.
- Sales Tax - Ms. Minga reported that this is sometimes difficult to project. We do not actually get numbers from the County on this. The town receives a check from the County because Sales tax is paid to them. Last year we collected \$157,000.00 and we are at \$154,000.00 for this year.
- Consumption Tax – Ms. Minga stated that this is from our three vendors Columbia Gas, Community Electric and Dominion Power. They remain pretty steady.
- Utilities Tax – This line item is tied in with the consumption tax for Columbia Gas, Community Electric, and Dominion Power.
- Business License – Ms. Minga stated that she thinks the town has been fortunate with business license fees. She explained that the reason she was projecting it to down this year compared to prior years is basically for delinquents. The last couple of years a lot of revenue has been collected on delinquent business licenses and a lot of that has been cleaned up.
- Permits – Ms. Minga stated under permits fishing permits was removed as we no longer require citizens to purchase fishing permits through the town.
- Vehicle License Revenue – Ms. Minga stated that she has figures as of March 25<sup>th</sup> and took last years and the year prior to determine the remainder of the Fiscal year.
- Fines & Interest – Ms. Minga stated that this all depends on the Police Department and the court system. At this time we are up from where we were this same time last year.
- Rentals – This income is pretty much set with lease agreements.

Ms. Minga reported that overall revenues are stable with no big surprises. She stated that she was now going to focus on the expense side of the budget. Staff has met with TFA Benefits on health insurance, but will not have projected rates and option information available until mid-April.

The meeting adjourned at 5:47 p.m.

April 1, 2011

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE FIRE AND RESCUE COMMITTEE  
MEETING HELD ON TUESDAY, MARCH 29<sup>TH</sup>, 2011

The Fire and Rescue Committee held a meeting on Tuesday, March 29<sup>th</sup>, 2011 at 4:17 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Vice Mayor T. Carter Williams, Chair; Mrs. Denise N. Tynes, and Ms. Constance Chapman. Other Council members present were: Mr. John L. Graham, Dr. Milton Cook, Mr. Andrew Gregory, and Mr. David M. Hare, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley Greer, Town Clerk; Mr. William T. Hopkins, III, Director of Planning Engineering and Public Works; Mr. William H, Riddick, III, Town Attorney; Ms. Sonja Pruitt, Office Manager of Public Works; Mr. Wayne A. Griffin, Town Engineer; Mr. William G. Saunders, Planner/GIS Coordinator and Ms. Judy Winslow of Isle of Wight Tourism Director; Others in Attendance were Mr. Michael Stallings, Smithfield Volunteer Fire Department Deputy Chief; Mr. Gerry Hackney, SVFD; Ms. Florine Moore, Mr. Charlie White, and Mr. Eddie Rowland. The media was represented by Ms. Allison Williams of The Daily Press.

Committee Chairman T. Carter Williams called the meeting to order.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. Operational Updates - Vice Mayor Williams reported that Mr. Brian Carroll of the Isle of Wight Volunteer Rescue Squad was not available today but would update Committee next month on operations. Deputy Chief Stallings and Mr. Gerry Hackney of the Fire Department were present to give an update. Mr. Hackney reported that the new fire facility is on schedule. We are still looking at a temporary Certificate of Occupancy in May so we can start moving in. It is hopeful to have it turned over to the department in June. Curb and gutter is now being poured. Mr. Hackney reported that the heavy rescue truck has been completed. It did its tour at the Fire Departments Instructors Conference (FDIC) in Indianapolis this past weekend. FDIC is one of the larger exhibition shows for fire and rescue in the country. Since the end of that show it has been transported to the dealer just outside of Richmond to get some final tweaks worked out. It is expected to be delivered to us by this Friday. We anticipate having it here for a minimum of thirty days before it goes into service. It will take time once we get possession to transfer equipment from one unit to the other. Also appropriate training will need to be done. Vice Mayor Williams asked if old

truck has been delivered to Windsor yet. Mr. Hackney replied that Smithfield still has possession of the old unit. Mr. Hackney reported as far as operations we have had a slow few days. However, we have been busy the last month or so with brush fires. Mr. Hackney also reported that they responded to a house fire off of Smithfield Boulevard with significant damage to the structure. There were no injuries to report. Mr. Hackney stated that even though Mr. Carroll was not present to give report he knows from listening to the scanner they have been going non-stop today with medical emergency calls. Chief Stallings stated that Mr. Wrightson continues to work with VDOT to get access to adjacent property.

2. Virginia Department of Forestry Grant for Dry Hydrant – Deputy Chief Stallings explained that the Virginia Department of Forestry has a grant for dry hydrants. It is not intended for the type of dry hydrant that the town is looking at putting in on South Church Street. It is typically intended for the ones out in the country to draw from freshwater ponds. Deputy Chief Stallings stated that he has spoken to them and they are willing to receive this application. This dry hydrant would be different because it is going in salt water. It is not practical to put it below water level because of the barnacles forming in the pipe. Both the dry hydrants that Smithfield Foods has put in are above water level. Deputy Chief Stallings stated they have completed the application and have gone down and looked in detail at the site where the dry hydrant would be installed. He stated that they feel very strongly that the town needs water in that area. The change in the water main along South Church Street from a six inch line to an eight inch line is a good step in the right direction. However in order for this dry hydrant to be successful it must be above water to be able to be maintained. The hydrant link will need to be somewhere around 120 feet. That is a long way to pump water. Deputy Chief Stallings stated the overall length of that system of 120 feet is an extremely long run compared to normal lengths. At this time the Fire Department does not know if they would be successful at drafting water from that distance. The Virginia Department of Forestry Grant will not pay for it all. They will pay the normal dry hydrant installation. Deputy Chief Stallings stated this is a big investment that at this time we do not know if it will work. So at this time the Fire Department would recommend that we do not submit the application for the grant. He stated that we do not want to submit an application and then come back and not do it or do it and it not be successful.

The meeting adjourned at 4:33 p.m.

April 1, 2011

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE PUBLIC WORKS COMMITTEE  
MEETING HELD ON TUESDAY, MARCH 29<sup>TH</sup>, 2011

The Public Works Committee held a meeting on Tuesday, March 29<sup>th</sup>, 2011 at 4:34 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Ms. Constance Chapman, Chair; Dr. Milton Cook, and Mrs. Denise N. Tynes. Other Council members present were: Mr. John L. Graham, Mr. Andrew C. Gregory, Mr. T. Carter Williams, Vice Mayor; and Mr. David M. Hare, Mayor; Staff members present were: Mr. Peter M. Stephenson, Town Manager; Mr. William T. Hopkins, III, Director of Planning, Engineering, and Public Works; Mr. William H. Riddick, III, Town Attorney; Ms. Lesley Greer, Town Clerk; Ms. Sonja Pruitt, Office Manager of Public Works; Mr. Wayne A. Griffin, Town Engineer; Mr. William G. Saunders, Planner/GIS Coordinator; Ms. Judy Winslow, Isle of Wight Tourism Director; and Ms. Amy Musick, Smithfield Center Director; Others in Attendance were Ms. Gina Ippolito, Windsor Castle Park Foundation Board; Ms. Bekki Robins Jucksch and Ms. Solvija Hofheimer of Kimley-Horn & Associates; Mr. Charlie White and Mr. Eddie Rowland of Veterans of Foreign Wars; Ms. Florine Moore. The media was represented by Ms. Allison Williams of The Daily Press.

Committee Chair Constance Chapman called the meeting to order.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. Update on Storm Water Management Program by Jennifer Tribo of HRPDC - The Town Engineer introduced Ms. Jennifer Tribo of the Hampton Roads Planning District Commission (HRPDC). The Town Engineer reported that he has been attending a lot of the meetings in the past couple of years since the Stormwater Management Program was adopted by Town Council. He stated that currently the town is not permitted by the Environmental Protection Agency, Department of Conservation Resources, and Department of Environmental Quality. Staff wants to get actively involved in the program because ultimately we will be required to be permitted. The Town Engineer stated that Ms. Tribo was present to give a brief summary on the Stormwater Management program and where we are at this point. Ms. Tribo stated that currently the town is under several programs. Those programs are the Chesapeake Bay

Preservation Act, the Erosion and Sediment Control Plan and Stormwater Management Program. In 2007 the HRPDC put together a Stormwater Management Plan for Smithfield. The plan was to prepare Smithfield for a permit for Stormwater regulations. Ms. Tribo continued to explain the process to become permitted. The Virginia Stormwater Management regulations are scheduled to be implemented by July 1<sup>st</sup>, 2014. Therefore local programs in localities must have local programs approved and in place by that date. Localities would prepare an ordinance that mimic State criteria in order to adopt local programs. The Department of Conservation Resources will still have oversight of local programs. Ms. Tribo stated that once the Town of Smithfield becomes permitted we will be responsible for all Stormwater Management areas within the town limits. Currently the State's Stormwater Management program would only regulate new development and redevelopment. The Town Engineer stated that the town currently has forty stormwater BMP ponds. Discussion was held by the Committee on where the BMP ponds would be installed. He stated that this update is for informational purposes only at this time but will be coming down the road in the future.

2. Update on Progress of County / Town Bike Trail by Consultant Kimley – Horn & Associates – Ms. Ippolito introduced herself as Isle of Wight County's Project Manager for the Smithfield to Nike Park Trail Transportation Enhancement Project. She stated that this has been a long process but consultant Kimley-Horn & Associates has been selected to provide consultation design services. The purpose of the meeting today is to give Committee an update of where we are today with the project. Ms. Ippolito turned the meeting over to Bekki Robins Jucksch of Kimley – Horn & Associates. Ms. Jucksch also introduced Ms. Solvija Hofheimer as their engineer and stated that they were very excited to finally be underway after a long contractual process. They have been gathering GIS data for preliminary line and layout. Ms. Jucksch stated that they had met with the Virginia Department of Transportation (VDOT) earlier today. She explained their first approach to the project. The project has been divided up into three segments. The first segment would include Battery Park Road between South Church Street and Nike Park Road which is approximately 1.3 miles. The second segment would include Nike Park Road between Battery Park Road and Nike Park which is approximately 1.8 miles. The third segment would be South Church Street between the Cypress Creek Bridge to Battery Park Road. She stated that their plan was to take all three phases to a 30% design to be able to move forward with the environmental documents. Segment 1 and 2 would then proceed to 60% design level. Then proceed with Segment 1 only for construction. Ms. Jucksch stated that the critical path element is to get the environmental documents underway. She stated that after getting all the GIS data it has been determined that the south side of Nike Park Road and Battery Park Road is the obvious side to install trail. Due to the fact that South Church Street has more alignment alternatives that come into play as far as location, VDOT suggested removing Segment 3 from current plans to be able to keep moving forward with Segments 1 and 2. At this time the schedule can be expedited earlier to get construction started. Committee asked assuming the environmental portion is approved how much funding do you have. Ms. Jucksch replied they have enough in funds to complete Segment 1. This item came to Committee for informational purposes only at this time.

3. Adopt-A-Spot Cleanup Request by Cypress Creek HOA – Mr. Gregory stated that the he had been contacted by the Cypress Creek Home Owners Association (HOA) regarding litter throughout the Route 10 corridor. A suggestion was made to have some signage put up that would discourage littering. The signs may include fines or minor enforcement verbiage. It has been determined that Route 10 belongs to VDOT so request for signage approval would need to be made to VDOT. The Town Engineer will contact VDOT to find out process for adopt-a-spot request. Staff will also look into process of implementing a litter ordinance with signage and fines. This item will come back to committee for discussion once staff has gathered more information.

4. APWA Accreditation Process – The Town Manager reported that about ten years ago the Town of Smithfield became the smallest community in Virginia to achieve law enforcement accreditation. He explained that he and Mr. Hopkins have been talking about this a couple of years and would like to move forward with accreditation for the Public Works Department. The only program for Public Works which includes Public Utilities is through the American Public Works Association (APWA). The Town Manager stated that Ms. Ann Daniels who is the accreditation director of APWA was here last week. Other small localities around the area were invited to attend the meeting to learn more about the accreditation process. The only localities in the area that are currently fully accredited are Newport News and Chesapeake. Virginia Beach has just begun the process. The process is a three year commitment to achieve accreditation. The process starts with self-assessment and is something that can be done with our existing staff. The Town Manager stated like the Police Department you are reviewing your management practices against the best management practices that are developed throughout the country. It shows you are well managed pro-active and dedicated to continuous improvements. The meeting with Ms. Daniels went very well. The Town Manager stated that as a Council goal you had asked us to look into staff efficiencies and effectiveness and this is something for our second largest department to help with that. He stated that we have a new Superintendent, new staff members and it would be the perfect time to move forward with the accreditation process. Staff feels this will be beneficial to everyone.

The meeting adjourned at 5:19 p.m.

April 1, 2011

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM  
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE PUBLIC BUILDINGS & WELFARE  
COMMITTEE MEETING HELD ON TUESDAY, MARCH 29<sup>TH</sup>, 2011

The Public Buildings and Welfare Committee held a meeting on Tuesday, March 29<sup>th</sup>, 2011 at 5:21 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Dr. Milton Cook, Chairman; Mr. T. Carter Williams, Vice Mayor; and Mr. John L. Graham. Other Council members present were: Mrs. Denise N. Tynes, Ms. Constance Chapman; Mr. Andrew C. Gregory and Mr. David M. Hare, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley Greer, Town Clerk; Mr. William T. Hopkins, II, Director of Planning, Engineering and Public Works; Mr. William H. Riddick, Town Attorney; Ms. Amy Musick, Smithfield Center Director; and Ms. Judy Winslow, Director of Isle of Wight Tourism; Also in attendance were Ms. Gina Ippolito, Windsor Castle Foundation Board, Mr. Charlie White and Mr. Eddie Rowland of Veterans of Foreign Wars. The media was represented by Ms. Allison Williams of the Daily Press.

Committee Chair, Dr. Milton Cook called the meeting to order.

**A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCIL'S AGENDA.**

1. Pre-Public Hearing Discussion: Special Use Permit – 223 Washington Street and Lease Agreement – The Town Manager reported the public hearing has been advertised for the Veteran of Foreign Wars (VFW) to establish a lodge type use at this location. The Town Manager stated that assuming the Special Use Permit (SUP) is approved next Tuesday he has asked the Town Attorney to prepare a lease agreement to be considered after the public hearing. Mr. Hopkins mentioned that on the staff report there is a list of items and they are not conditions. It was provided to let committee know what type of activities will be held there. On March 8<sup>th</sup> the Planning Commission recommended approval of the Special Use Permit with one exception. That exception was for the approval of the SUP to run the length of the lease term that will be decided upon by Town Council. Vice Mayor Williams stated that he would like to see the town give the VFW a ten year lease and a ten year renewal due to the extensive amount of work they are putting in the building. Committee did not have problem with granting the SUP with

current conditions. Mr. White and Mr. Rowland stated to committee that they have never worked with a better group of people. Mr. Rowland stated that everything they have asked for staff has given 100%. The Town Attorney read the lease that would be on the April 5<sup>th</sup> Town Council agenda for consideration. The lease stated the town will carry insurance on the building and the VFW would have to insure their belongings inside. Committee discussed term of lease in length. Committee recommended a ten year lease that is not automatically renewed but can be renewed.

2. Pre-Public Hearing Discussion: Proposed issuance of General Obligation Bonds Between the Town and County for the Acquisition of 911, 913, 913D South Church Street (formerly Sentara Property) and Ordinance Adoption – The Town Manager explained that the arrangement with the County requires a public hearing and an adoption of an ordinance as well. The Town Attorney stated that Town Council shall hold a public hearing to authorize the issuance of a bond. This bond is a promise from the town to the county that we are going to pay them for this property purchase. The Town Attorney stated that it is really a piece of paper that everyone can look to issued by the town to say we must pay the county this much money. Committee recommends approval.

3. Pre-Public Hearing Discussion: Zoning Ordinance Amendments to Change payday lending establishment, check cashing establishments and pawn shops from permitted uses to uses permitted by special use permit – These Zoning Ordinance amendments are intended to re-categorize the uses of payday lending establishment, check cashing establishments, pawn shops and area of assembly from by-right uses to uses that require a special use permit. Committee recommends approval.

4. Amended Renewal Agreement with Dean Stalling for Farming Operations at Windsor Castle Park – The Town Manager reported that the town has an annual agreement with Mr. Dean Stallings for farming operations that expires April 1<sup>st</sup>. Town staff recommends renewal. Mr. Stallings has already planted winter wheat and is looking forward to another year. The Town Manager mentioned that Ms. Musick requested the use of the metal shed structure next to the barns be taken out of the agreement. Staff has asked Mr. Stallings about this and he is fine with the change. Committee recommended approval of renewed MOU with Mr. Stallings.

5. Discussion on Fee Reduction for Use of Town Rental Property by Town Employees – Ms. Musick reported that she had put together a proposal with her recommendation of discounted rates on special event sites for town employees. She stated that for rentals at the Smithfield Center town employees would be eligible for a 50% discount off the resident rental fee for events that are held Sunday – Friday. Saturday rentals would be charged full price. However additional complimentary hours would be offered. Ms. Musick stated that as for the outdoor sites a 50 % discount off the resident rental fee would be applied to any day of the week. Committee agreed with proposal and recommends approval.

6. Section of General Contractor For Remodeling and Renovations of 913 & 913D South Church Street – Proposals were discussed in closed session and a recommendation will be made to authorize the manager to negotiate a contract with the top ranked firm.

**B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.**

1. Windsor Castle Park:

a. Request for Overnight Camping at the Park – Ms. Musick reported that she had two requests for overnight camping at the park. One withdrew their request, however the Boy Scouts are still interested. She stated that she wanted to bring it to Town Council Committee and Windsor Castle Park Foundation Board to get everybody's opinion on this request. Ms. Musick stated she contacted Mark Furlo of Isle of Wight Parks and Rec to see how they handle overnight camping. He replied that they only allow groups to primitive camp which is groups like the Boy Scouts and they are not charged. Mr. Furlo stated that the only thing you need for primitive camping is a restroom or porta-john. Ms. Musick stated that the den mom from the Boy Scouts said they would need running water. Ms. Musick explained that staff feels we are not set up for this type of request at this time. Vice Mayor Williams asked what the Windsor Castle Park Foundation Board said. Ms. Musick replied she will be taking it to them on April 11<sup>th</sup>. After some discussion committee decided that issues like this should go to the Foundation Board first and then they can bring it to us with a summarized recommendation. This item will come back to committee once it has been researched by the Foundation Board.

b. Park Signage Proposal from Virginia Logos, LLC – The Town Manager reported that he wanted committee to be aware of the proposal that was received for directional signage to Windsor Castle Park. He explained that the town had started this process with the Virginia Department of Transportation (VDOT) and their contractor, Virginia Logos, LLC, shortly before the park opened. The Town Manager stated that first of all the process was long and then we received this proposal to sign. He stated he had not budgeted \$11,000.00 for signs. Staff has decided to put up temporary signs that cost seventy-five dollars each while the construction on South Church Street is going on. Mrs. Tynes asked if town staff could do permanent signs ourselves. The Town Manager stated that's the problem they will not allow the town to purchase the permanent signs or put them up ourselves. At this time the temporary signs are a temporary solution until we can get it put in the budget.

2. Discussion on County Redistricting – Vice Mayor Williams stated that Mr. Don Robertson of Isle of Wight County did a great job explaining the redistricting process at the Intergovernmental Committee. Dr. Cook stated that although he knows why he was disappointed that a third of the Historic District will be in the Hardy District. Discussion was held by committee on minority and majority district outlines. This process will be very confusing to where you will go to vote. Committee agreed that the town really has no say in the process of how it will be divided.

3. Closed Session – A motion was made and seconded to go into closed session at 6:00 p.m. for the purpose of discussing the acquisition/disposition of real property for public purposes in particularly 113 North Church Street and competitive negotiations for general contractor services requiring advice of legal counsel. Close Session ended at 6:20 p.m.

Meeting Adjourned at 6:21 p.m.

# Smithfield Police Department Activity Report

## February 2011

	This Month February 2011	Last Month January 2011	YTD 2011	February 2010	YTD 2010	YTD % Change
<b>Incidents Reported</b>						
Calls for Police Service	993	1,109	2,102	872	1,736	21.08%
<b>Traffic</b>						
Traffic Stops	239	234	473	261	708	-33.19%
Traffic Summons	97	94	191	126	336	-43.15%
Accidents	13	13	26	17	32	-18.75%
<b>Criminal Process</b>						
Misdemeanor Arrests	11	18	29	26	42	-30.95%
Felony Arrests	28	11	39	8	12	225.00%
<b>Court Cases</b>						
Juvenile Court	17	21	38	36	52	-26.92%
General District Court	242	88	330	174	401	-17.71%
Circuit Court	9	3	12	1	1	NC
Fines Collected	\$6,731.41	\$3,849.52	\$10,580.93	\$6,414.72	\$9,628.15	9.90%
<b>Property Report</b>						
Stolen Property Reported	\$14,510.00	\$33,398.00	\$47,908.00	\$6,516.00	\$214,773.00	-77.69%
Stolen Property Recovered	\$15,351.00	\$21,591.00	\$36,942.00	\$62.00	\$202,598.00	-81.77%
Property Damage Reported	\$1,356.00	\$5,300.00	\$6,656.00	\$1,465.00	\$2,365.00	181.44%
<b>Other</b>						
Total Mileage Police Units	24,617	24,253	48,870			
False Alarms-Police	10	10	20	9	37	-45.95%
Police Escorts	10	10	20	11	15	33.33%

**NOTES:**

Property totals are rounded to the nearest whole dollar.

Totals may vary between reporting periods due to ongoing investigations, case updates, and late reporting.

**SMITHFIELD POLICE DEPARTMENT  
MANAGER'S REPORT  
MARCH 2011**

**Committees and Projects:**

03/01 – 04 California Association of Chiefs of Police – Chief Marshall  
03/01 Town Council – Captain Howell  
03/05 – 07 SACOP meeting – Chief Marshall  
03/07 – 10 Day on the Hill – Chief Marshall  
03/11 Robert Hatfield's swearing in – Smithfield PD  
03/13 Safe Routes to School – Westside Elementary – Sgt. Fox  
03/13 – 18 National Fusion Center Conference – Chief Marshall  
03/15 Crime Line meeting – Smithfield Center – Captain Howell, Lt. Beach, Sgt. Valdez and Annette Crocker  
03/15 Salvation Army meeting – Suffolk – Kristi Jenkins  
03/21 – 24 Ad Hoc/Search Committee/S and P meetings – Chief Marshall  
03/24 Legislative Breakfast – Ruritan Club, Windsor – Captain Howell and Lt. Beach  
03/28 Finance Committee meeting – Captain Howell and Jimmie Minton  
03/28 Police Committee meeting – Captain Howell  
03/28 Continued Town Council meeting – Captain Howell

**Training**

02/28 – 03/04 Search and Rescue Training – Hampton, VA – Officers Epps and Powell (40 hrs.)  
03/07 Radar Recertification Instructor – IOWSO – Sgt. Bryan (4 hrs.)  
03/14 Firearm Qualification – Dominion Power – Officer Seamster and Officer Hatfield (3 hrs.)  
03/23 Emergency Preparedness – Dominion Power – Captain Howell, Lt. Clarke, Sgt. Evans and Sgt. Valdez (4 hrs.)  
03/28 CPR Training – IOWRS – Officers Epps and Powell (2 hrs.)

**In-House Training:**

02/23 Sex Offender Registry Training – PD – Sgt. Bryan, Sgt. Evans, Officers Epps, Miller, Araojo and Adams (4 hrs.)  
02/25 Radar Recertification – PD – Officers Seamster, Finelli, Jones, Meier and Cook (4 hrs.)  
03/01 – 04 CPR/Bloodborne Pathogens – Smithfield Center – Pd Staff (4 hrs.)  
03/23 ERT Training – 913 S. Church – Lt. Clarke, Sgt. Evans, Sgt. Rogers, Officers Vance, Jones, Davenport, Seamster, Finelli, Powell, Araojo and Adams (5 hrs.)

**Community Policing**

03/02 Homework Station – Jersey Park Apts. – Officer Seamster  
03/09 Homework Station – Jersey Park Apts. – Officer Cook  
03/09 Letter Learning – Isle of Wight Academy – Sgt. Valdez and Officer Finelli

03/12 St. Patrick's Day Parade – Norfolk – Officer Miller  
 03/13 Bicycle Rodeo – Carrollton Elementary – Sgt. Evans, Officers Jones and Araojo  
 03/16 Isle Fest – Smithfield Center – Sgt. Evans, Officers Epps and Adams  
 03/17 DUI Checkpoint – Route 10 Bypass – Sgt. Evans, Sgt. Rogers, Officers Araojo, Adams and Jones  
 03/23 Homework Station – Jersey Park Apts. – Officer Adams  
 03/25 FBINA Cookout – Suffolk Planter's Club – Captain Howell  
 03/30 Homework Station – Jersey Park Apts – Officer Cook

**Investigations:**

**Case#:** 2011-00186  
**Location:** 700 Block Wrenn Road  
**Offense:** Possession of Marijuana  
**Disposition:** Cleared by arrest

On 02/27/2011 officers responded to the 700 Block of Wrenn Road in reference to complaints of a reckless/unlicensed driver. Upon arrival officers made contact with the suspect vehicle and its driver. The driver's information was run through DMV and was verified as valid. The officer then returned the license back to the operator and advised they were free to leave the area and explained to them the reason for the stop and about the complaints received. During this time the officer asked for consent to search the vehicle and was given permission by the operator of the vehicle to do so. The vehicle was occupied by three subjects and they were asked to step out. During the search of the vehicle a small amount of marijuana (roach) was recovered from the center console. The officer then asked the occupants if there were any other drugs in the vehicle prior to continuing the search. The officers were advised by one of the suspects of a backpack containing marijuana in the backseat of the vehicle. The bag was recovered and approximately an ounce of marijuana was found. The suspects were taken into custody and warrants were obtained for marijuana possession. Case is cleared by arrest.

**Case#:** 2011-00212  
**Location:** Smithfield Station Parking Lot  
**Offense:** Grand Larceny  
**Disposition:** Active Case

On 03/05/2011 officers responded to the parking lot adjacent to the Smithfield Station in reference to items stolen from a vehicle. Upon arrival officers made contact with the victim that stated the rear window of her vehicle was broken out and several items were missing. The victim stated a .380 handgun was stolen from the vehicle as well as a Kenwood speaker system. The total cost of items stolen was approximately \$2,500. Officers went into the Smithfield Station in reference to possibly viewing video surveillance of the parking lot. Officers were able to observe the victims vehicle during the time frame the damage/theft had occurred. Officers observed two vehicles parked in close proximity to the victim's vehicle and noticed the occupant walking around it. The video showed one of the suspects opening the driver's side door and entering the victim's car. The video was recovered and the case is actively being investigated. Case is Active.

**Case#:** 2011-00204  
**Location:** 513 Main Street (Church Manor Apt)  
**Offense:** Robbery  
**Disposition:** Active Case

On 03/04/2011 officers responded to the Church Manor Apartments in reference to an armed robbery. Upon arrival officers made contact with the victims and were advised that two individuals had entered the apartment and robbed them. The victims were in the apartment watching TV when they heard a knock at the door. Without looking to see who was at the door, one of the victims unlocked and began to open the door. The suspects pushed the door in and knocked one of the victims to the ground, while the other victim was sitting on the couch. One of the suspects was holding a small black revolver and they both began to search the pockets of the victims. Approximately \$22.00 was removed from the purse of one of the victims, and then the suspects fled the residence. Both suspects were wearing mask and gloves and did not speak during the robbery. Investigators attempted to locate physical evidence left by the suspects, but were unable to do so. Statements were taken from the victims and the case is being actively worked. Case is active.

**Case #:** 2011-00286  
**Location:** 100 Block Lane Crescent  
**Offense:** Cross Burning/Hate Crime  
**Disposition:** Cleared by Arrest

On 03/26/2011 at approximately 11:30pm officers responded to the 100 Block of Lane Crescent in reference to a burning cross located in the front yard of the victims residence. The cross was not burning when the officers arrived, however they were able to smell some type of solvent on it, similar to lighter fluid. The victims stated they noticed taillights moving slowly down the roadway in front of their house and when they looked outside they noticed the cross. The cross was burning, but only partially due to the weather that evening, a slight rain. The victims provided statements to the incident and provided information on some possible suspects. Investigators were able to identify one suspect and he was subsequently interviewed. The suspect admitted to the burning of the cross and stated it was due to an argument he and one of the victims had been engaged in. Charges have been filed. Case is cleared by arrest.



Reporting Period: 3/1/2011 thru 3/31/2011

Total deposits for March 2011 - \$12,854.85

Trx. Type	Date	Invoice No.	Pay Type	Check No.	Group	Event	Res ID	Book ID	Amount
Deposit	3/18/2011		American Express	Amex	Newman and Caldwell Wedding and Reception	Newman and Caldwell Wedding and Reception	1536		400.00
Deposit	3/18/2011		Check	Money Order	Vaughan and Fulgham Wedding and Reception	Vaughan and Fulgham Wedding and Reception	1146		100.00
Deposit	3/21/2011		Check	2711	Mt. Moriah AME Church	AME 2012 District Conference	1538		180.00
Deposit	3/21/2011		Check	2968	Mt. Moriah AME Church	AME 2012 District Conference	1538		180.00
Deposit	3/21/2011		Check	4824	Mt. Moriah AME Church	AME 2012 District Conference	1538		180.00
Deposit	3/21/2011		Master Card	Master Card	Bell and Reese Wedding and Reception	Bell and Reese Wedding and Reception	1537		500.00
	5146-1600-2378-6060 exp. 04/11 Jaime Bell 33 A Mariners Cove Road Hampton, VA 23669								
Deposit	3/21/2011		Check	1283	Connell and Merilic Wedding and Reception	Connell and Merilic Wedding and Reception	1097		1,080.00
Deposit	3/22/2011		Visa	Visa	Ayers and Doggett Reception	Ayers and Doggett Reception	1540		400.00
Deposit	3/28/2011		Master Card	MC	Hobbs-Hamilton Reception	Hobbs-Hamilton Reception	1410		500.00
	Mc 5538 7900 0067 0006 exp 12/13 926 Amelia Ave Portsmouth, VA 23707								
Deposit	3/28/2011		Master Card	MC	Laine & Overman Wedding & Reception	Laine-Overman Wedding & Reception	1308		1,020.00
	MC 5576 2173 0037 3233 exp 5/2013 207 Hensley Dr NN 23602								
Deposit	3/29/2011		Check	2190	Mt. Moriah AME Church	AME 2012 District Conference	1538		60.00
Deposit	3/29/2011		Check	4833	Mt. Moriah AME Church	AME 2012 District Conference	1538		60.00
Deposit	3/29/2011		Check	2712	Mt. Moriah AME Church	AME 2012 District Conference	1538		60.00
Deposit	3/30/2011		Check	2151	Isle of Wight Commission on Aging	Senior Educational Program	1486		50.00
								Total	11,429.85
								Grand Total	-11,429.85

## March 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
		9:00 AM Town CPR Training 3:30 PM Girl Scout Cookie Sales 5:00 PM Center Staff Meeting 7:30 PM Town Council	9:00 AM Town CPR Training 3:30 PM Girl Scout Cookie Sales	CPR Training-all Center Staff 9:00 AM Town CPR Training 3:30 PM Girl Scout Cookie Sales	CPR Training-Amy 9:00 AM Town CPR Training	Marian-in after 5 PM 4:00 PM Jones and Savage Reception
6	7	8	9	10	11	12
5:00 PM Delta Sigma Theta Honors Banquet	2:00 PM Smithfield Foods Board of Directors Meeting	Amy Off at 1 PM 3:30 PM Girl Scout Cookie Sales 7:30 PM Planning Commission	Photography Session w/ Brett England 10:00 AM Staff Meeting 6:00 PM Lions District Meeting	3:30 PM Girl Scout Cookie Sales	3:00 PM IOW Academy Fundraiser	Photography Session w/ Brett England 9:00 AM IOW Academy Fundraiser 5:30 PM IOW Academy Fundraiser
13	14	15	16	17	18	19
Daylight Savings Start Herbert Off	Russ Off New Cable Installation	9:00 AM Board of Director's Schoolhouse Committee 9:00 AM Kingdom Living Conference, Pastor's Luncheon 11:30 AM Crime Line Meeting 4:00 PM Pinewood Heights Management Team Meeting 6:30 PM BZA 6:30 PM Fire Department Meeting 7:30 PM BHA&R	4:00 PM Chamber Trade Show	8:00 AM VRWA Math Class 10:00 AM Smithfield Women's Club 7:30 PM SYWC End of Year Banquet		Marian Off Amy-IACCA 7:00 PM Phi Chi Omega Tenth Anniversary Ball
20	21	22	23	24	25	26
Amy-IACCA 3:00 PM Davis 50th Anniversary Party	Herbert Off Amy-IACCA	Herbert Off Russ Off	Herbert Off 8:00 AM Delta Fact Based Solution Selling I 10:00 AM Staff Meeting	Courtney Off Herbert Off Russ Off 8:00 AM Delta Fact Based Solution Selling I 8:00 AM Public Works Assessment Training	Courtney Off Herbert Off 4:00 PM Vaughan and Fulgham Rehearsal	Courtney off Herbert Off

## March 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31		
<b>Courtney Off Herbert Off 4:00 PM Vaughan and Fulgham Wedding and Reception</b>	<b>4:00 PM Committee Meetings</b>	<b>Russ Off 3:00 PM Intergovernmental Meeting 4:00 PM Committee Meetings</b>	<b>10:00 AM Senior Educational Program</b>	<b>6:30 PM Laine-Overman Rehearsal</b>		

### Smithfield Center Discounts - March 2011

Booking Date	Event Name	Room Code	Discount Percent
3/1/2011	Town Council	A&B	100%
3/1/2011	Town CPR Training	C&D	100%
3/1/2011	Center Staff Meeting	C&D	100%
3/2/2011	Pork 101	C&D	0%
3/2/2011	Town CPR Training	C&D	100%
3/3/2011	Pork 101	C&D	0%
3/3/2011	Town CPR Training	C&D	100%
3/4/2011	Town CPR Training	C&D	100%
3/5/2011	Jones and Savage Reception	MH plus Suites	0%
3/6/2011	Delta Sigma Theta Honors Banquet	MH plus Suites	0%
3/7/2011	Smithfield Foods Board of Directors Meeting	Suites	0%
3/8/2011	Planning Commission	A&B	100%
3/9/2011	Lions District Meeting	A	50%
3/9/2011	Staff Meeting	C&D	100%
3/9/2011	Lions District Meeting	MH	50%
3/10/2011	Public Works Meeting	A&B	100%
3/11/2011	IOW Academy Fundraiser	MH plus Suites	20%
3/12/2011	IOW Academy Fundraiser	MH plus Suites	20%
3/15/2011	BZA	A&B	100%
3/15/2011	BHA&R	A&B	100%
3/15/2011	Board of Director's Schoolhouse Committee	MH	100%
3/15/2011	Fire Department Meeting	MH	100%
3/15/2011	Crime Line Meeting	MH	100%
3/15/2011	Pinewood Heights Management Team Meeting	MH	100%
3/15/2011	Kingdom Living Conference, Pastor's Luncheon	Suites	0%
3/16/2011	Chamber Trade Show	MH plus Suites	0%
3/17/2011	VRWA Math Class	A	100%
3/17/2011	Smithfield Women's Club	B	50%
3/17/2011	Smithfield Women's Club	C&D	50%
3/17/2011	SYWC End of Year Banquet	MH	0%
3/19/2011	Phi Chi Omega Tenth Anniversary Ball	MH plus Suites	0%
3/20/2011	Davis 50th Anniversary Party	MH	0%
3/23/2011	Staff Meeting	A&B	100%
3/23/2011	Delta Fact Based Solution Selling I	C&D	0%
3/24/2011	Public Works Assessment Training	A&B	100%
3/24/2011	Delta Fact Based Solution Selling I	C&D	0%
3/27/2011	Vaughan and Fulgham Wedding and Reception	MH	0%
3/28/2011	Committee Meetings	C&D	100%
3/29/2011	Committee Meetings	C&D	100%
3/29/2011	Intergovernmental Meeting	C&D	100%
3/30/2011	Senior Educational Program	MH	0%
3/31/2011	Laine-Overman Rehearsal	Deck	0%

<b>100%</b>	<b>21</b>
<b>50%</b>	<b>2</b>
<b>20%</b>	<b>1</b>

## **Smithfield/Isle of Wight Tourism Activity Report – March 2011**

- Director attended Isle of Wight Board of Supervisors Meeting 3/03/11.
- Director attended Smithfield Town Council Meeting 3/01/11.
- Held meeting to discuss promotion of packages with Hampton Inn & Suites 3/1/11.
- Held staff meeting to discuss Encore Wedding sales and servicing logistics and staff assignments 3/1/11.
- Met with Amy Musick and Smithfield Center staff to discuss Windsor Castle Park marketing initiatives, advertising and fulfillment pieces 3/1/11.
- Smithfield 2020 Meeting 2/2/11. The project's initiatives range from attracting new businesses to developing activities that celebrate Smithfield's cultural heritage. Check out the website at [www.smithfield2020.org](http://www.smithfield2020.org) . All 2010 initiatives and accomplishments have been listed on the website. Director of Tourism took for action-promoting a Smithfield license plate and public porcine statuary.
- Met with General Services and Animal Control regarding County booth at Chamber Trade Show 3/2/11.
- Met with City of Hampton and City of Chesapeake Tourism for Virginia Tourism Summit planning session 3/4/11.
- Monday Morning Moan meeting held for communications planning for S. Church Street Beautification project 3/7/11, 3/14/11, 3/21/11 and 3/28/11. Meeting will be held each Monday morning to allow citizens and merchants to make public comments and to discuss communicating the project issues to all concerned-residents, merchants and visitors.
- Completed VACVB Virgo Award submission for upcoming Virginia Tourism Summit 3/8/11. Submitted 3/14/11.
- Attended Safe Routes to Schools meeting 3/8/11 at Windsor Middle School and 3/10/11 at Westside Elementary School.
- Held FAM Tour for Tour Operator from Tidewater Touring Company 3/9/11. **This company has booked a 50 person tour to Smithfield EVERY Thursday this Spring, Summer and Fall from the timeshares in Williamsburg.** Stops on

the tour include Saint Luke's, the IWO Museum, The Courthouse of 1750, The Schoolhouse Museum, Boykin's Tavern and Darden's Country Store.

- Attended SHDBA Meeting 3/10/11.
- Entire staff attended Encore Wedding FAM Tour to Saint Luke's, Smithfield Station, Smithfield Center, Windsor Castle Park, Smithfield Inn, Boykin's Tavern and the Isle of Wight Wedding Chapel 3/10/11.
- smARTs event held 3/11/11. Strong SHDBA participation!
- Attended Smithfield 2020 Economic Restructuring Brainstorming Session 3/13/11.
- VA-1 Annual Conference conference call held 3/14/11 with Virginia Tourism and Virginia Hospitality and Travel Association. VA-1 to be held in Richmond in October.
- Attended Smithfield Little Theater stakeholders meeting 3/14/11 to talk about non-theater use of the building.
- Attended Schoolhouse Museum Board meeting 3/15/11.
- Held follow-up meeting with Channel 13 regarding advertising and on-line 3/15/11.
- Historic Resources Staff meeting held 3/15/11.
- Attended CVTA Regional Meeting in Hampton 3/16/11.
- Attended Economic Restructuring Meeting with Smithfield 2020, Chamber and Developers 3/16/11.
- Attended "Growing Grassroots in Your Destination" webinar 3/16/11.
- Worked Tourism booth at the Chamber Trade Show 3/16/11. All County Booths were located together.
- Held Smithfield Music's Aiken & Friends Music Festival meeting 3/17/11. Logistic and funding for 2011 event!
- Met with Mary Lewis with E-Brains regarding updating Tourism website to mobile 3/17/11.
- Second IOW County Fair Ad completed 3/18/11.

- Completed Pilot Club press releases regarding upcoming conference in Smithfield 3/18/11. Pilot Club is a Community Ambassador!
- Met with Studio Center regarding updating Tourism website to mobile 3/21/11. Best deal concluded. Contract pending.
- Attended full meeting of planning committee for VA-1 State Tourism Conference at Virginia Tourism in Richmond 3/22/11. Hotel contract signed and assignments given.
- Attended Zuni Historical Society meeting 3/22/11 to continue to work with them on Zuni Museum and Old Zuni Bank sites.
- Worked on Virginia Tourism Summit session speakers and logistics 3/23/11, 3/24/11, 3/25/11, 3/28/11, 3/30/11. Lt. Governor Bolling and Senator Whipple are confirmed.
- Sesquicentennial Committee meeting 3/24/11.
- Attended Smithfield Wine Festival 2012 event meeting 3/24/11.
- Attended Smithfield 2020 meeting with new owner of Wharf Hill property 3/24/11.
- Sent our updated press release about extension of special Smithfield DMV license plate to May 31, 2011 on 3/25/11.
- Attended smARTs event re-vamp meeting 3/25/11.
- Hosted travel writers from Baltimore MD market 3/25/11 and 3/26/11. Two on-line stories already produced!
- First Farmers Market of the season held 3/26/11! A bit chilly but a good crowd!
- Met with Scoop Coups about Aikenfest event 3/28/11.
- Attended Council Committee meetings 3/28/11 and 3/29/11.
- Held staff meeting regarding Group Tour logistics and responsibilities 3/29/11.
- VACVB VA Tourism Summit Conference Call held 3/29/11.
- Met with Don Robertson regarding County Annual Report 3/29/11.

- Guest Speaker for County Commission on Aging at the Smithfield Center 3/30/11.
- Historic Resources Home School Day meeting 3/31/11. Over 200 attendees expected for 4/8/11 Home School event put together by Historic Resources and featuring our Town and County attractions.
- Attended Virginia Port Authority Meeting in Windsor 3/31/11 regarding Rail Station.
- Attended off-site signage meeting with Planning and Zoning 3/31/11.
- Unable to attend IOW Staff Meeting 3/7/11.
- Attended Smithfield Staff Meeting 3/11/11 (staff) and 3/23/11 (Director).
- Update website events and *Where the Locals Go* event promotion newsletter weekly. This e-newsletter combines tourist events and the Farmer's Market information.
- Weekly individual meetings with staff to address concerns and review projects.

Upcoming Events: See [www.visitsmithfieldisleofwight.com](http://www.visitsmithfieldisleofwight.com) for more details!

# Board Report to Smithfield Town Council

April 2011

1. The revised County budget as of the end of February was \$92,960,597 and the revised capital budget was \$24,176,833.
2. The County's Undesignated Fund Balance is down 16.7% to \$6,008,566 after the purchase of land in Windsor for the future expansion of their fire station for \$635,000.
3. The Board voted to approve the sale of 4 parcels of the Sentara property to the Town of Smithfield.
4. At the latest redistricting committee, the committee ultimately voted to replace the original 5 district plan with a plan developed by county attorney Paul Burton and Tom Finderson from the Newport District with technical help from county staff. The Finderson 5 district plan has the Town of Smithfield represented by four districts and increases the number of voting age minorities in Hardy by about 100 voters over the committee developed 5 district plan and raised the Hardy district percentage of minority voters from 50.1% to 52.6%. The Smithfield district will now extend to Mogarts Beach and exclude the south side of Canteberry Lane and the area south of the Route 10 bypass except Cypress Creek. In the 7 district proposal, the name of one of the proposed new districts was changed from Cypress Creek to Jones Creek. Attorney Burton announced a Board redistricting work session for Tuesday, April 5<sup>th</sup>, at 5PM that might preclude me from being able to give my report in person if it runs long. As of preparing this report, I have not heard back on my request to reschedule that meeting. Attorney Burton also announced that the Board would be selecting the preferred plan (5 or 7) at the April 7<sup>th</sup> meeting. I'd appreciate any preference between plans either from the Town or individually by that meeting. I will try to have the latest plans, with blowups of the Smithfield area, emailed to you as soon as they are available.

**RESOLUTION  
STREET CLOSURE FOR VETERANS' PARADE ROUTE**

WHEREAS, the Isle of Wight Citizens Association has proposed to hold a parade honoring America's veterans on Friday, November 11, 2011 at 11:00 a.m.; and,

WHEREAS, the association has requested that certain streets within the Town be closed for the veteran's parade; and,

WHEREAS, it appears to the Town Council that the brief time during which these streets will be closed for the parade will not work undue hardship on the residents and businesses along the parade route; and,

WHEREAS, the Town Council desires to cooperate with the organizers of the parade honoring American's veterans by closing off certain of the town's streets in order to allow a safe and convenient parade route and environment for the parade.

NOW, THEREFORE, be it resolved that on Friday, November 11, 2011, the following streets or portions of streets shall be closed from 11:00 a.m. until the conclusion of the parade: all of James Street, Grace Street from its intersection with Main Street to its intersection with N. Mason Street, Main Street from its intersection with Grace Street to its intersection with N. Mason Street; N. Mason Street from its intersection with Main Street to its intersection with Grace Street.

BE IT FURTHER RESOLVED that said street closure shall be subject to such rules, guidelines and procedures as may be established by the Town Manager and the Chief of Police.

Adopted this 5<sup>th</sup> day of April, 2011.

TOWN COUNCIL OF THE  
TOWN OF SMITHFIELD

By \_\_\_\_\_  
David M. Hare, Mayor

ATTEST:

\_\_\_\_\_  
Clerk

**Memorandum of Understanding**  
**For Farming Operations at Windsor Castle Park**  
Between  
The Town of Smithfield and Jerry D. Stallings

This Memorandum of Understanding between the Town of Smithfield, (hereinafter referred to as Town) and Jerry D. Stallings (herein after referred to as Tenant) will govern the use of Windsor Castle Park property for farming operations. In as much as the Town acquired the property in 2009 for the purposes of public park use, and whereas the Tenant desires to continue farming operations on a portion of the park property and enter into a new agreement, now therefore the parties agree as follows:

1. Town does hereby grant permission to Tenant to continue farming operations on a portion of the Windsor Castle property for the purpose of growing crops indigenous to Isle of Wight County. In consideration of the use of the farm land, the Tenant agrees to mow, at a minimum of once per month, the public lands and right of ways as show on the attached exhibit. The areas that may be farmed by Tenant are shown and identified on the attached exhibit.
2. In the event the Tenant elects to leave a field fallow, the Tenant agrees to mow the fallow field on a regular basis so that the field does not become a nuisance and unsightly and for as long as the Tenant is using other Windsor Castle Park land for farming or until Tenant gives notice and discontinues all farming operations on Windsor Castle Park land.
3. During the future construction of public park improvements, the Town or its agents will use due diligence to avoid damage to existing crops. The Tenant agrees to give 7 days prior notice to the Town of his intention to apply any chemicals during his farming operations that may pose a public health or safety concern.
4. This agreement shall be effective for a period of one year, beginning April 1, 2011 and may be extended by mutual agreement of the parties.
5. The consideration for this agreement is the mutual benefit that each party derives from its terms. There shall be no monetary compensation to the Town by the Tenant or to the Tenant by the Town for the right to continue farming operations on the Windsor Castle Park property or the maintenance/mowing services required by the provisions of this agreement.

Witness the following signatures of the parties. Peter M. Stephenson, Town Manager executes this agreement pursuant to authority of the Town Council granted at its meeting on April 5, 2011.

Tenant: \_\_\_\_\_  
Jerry D. Stallings

Date: \_\_\_\_\_

Town: Town of Smithfield

By \_\_\_\_\_  
Peter M. Stephenson, Town Manager

Date: \_\_\_\_\_

AN ORDINANCE TO AMEND THE ZONING ORDINANCE  
OF THE TOWN OF SMITHFIELD, VIRGINIA

WHEREAS, the Town Council of the Town of Smithfield deems it necessary to revise and amend certain provisions of the Zoning Ordinance of the Town of Smithfield to better implement and enforce the Town's land use regulations; and,

WHEREAS, the Town's Planning Commission, after a public hearing, has unanimously recommended that the Town Council adopt the proposed amendments and revisions; and,

WHEREAS, this Council, after a public hearing on the matter, finds it to be in the best interest of the citizens of the town to revise and amend the following provisions of its Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Smithfield, Virginia, as follows, to-wit:

1. That the following provisions of the Zoning Ordinance, are hereby repealed and reenacted, so as to change payday lending establishments, check-cashing establishments and pawn shops from permitted uses to uses permitted by special use permit in certain zoning districts. The full text of the provisions to be reenacted is attached hereto as Exhibit "A":

- Article 3.G: R-O, Residential Office
- Article 3.I: HR-C, Highway Retail Commercial
- Article 3.J: PS-C, Planned Shopping Center
- Article 3.K: I-1, Light Industrial
- Article 3.L: I-2, Heavy Industrial

2. That the following provision of the Zoning Ordinance is hereby repealed and reenacted, so as to change payday lending establishments, check-cashing establishments and pawn shops, churches and places of worship and public assembly from permitted uses to uses permitted by special use permit. The full text of the provision to be reenacted is attached hereto as Exhibit "A":

- Article 3.H: D, Downtown

3. This ordinance shall be in effect immediately upon adoption.

Adopted this 5<sup>th</sup> day of April, 2011.

TOWN COUNCIL OF THE  
TOWN OF SMITHFIELD

By \_\_\_\_\_  
David M. Hare, Mayor

ATTEST:

\_\_\_\_\_  
Clerk

THIS INSTRUMENT PREPARED BY: WILLIAM H. RIDDICK, III  
RIDDICK BABINEAU, PC  
P. O. BOX 190  
SMITHFIELD, VA 23431

Tax Map # \_\_\_\_\_

THIS LEASE AGREEMENT, made effective this 1<sup>st</sup> day of April, 2011, by and between **TOWN OF SMITHFIELD**, Grantor, herein referred to as "Landlord," whose address is P.O. BOX 246, SMITHFIELD, VA 23431, and **VETERANS OF FOREIGN WARS POST 8545**, a Virginia non-stock corporation, Grantee, herein referred to as "Tenant," whose address is \_\_\_\_\_

WITNESSETH:

WHEREAS, TOWN OF SMITHFIELD is the sole owner of the following described real estate, to-wit:

223 WASHINGTON STREET, SMITHFIELD, VA  
Tax Map no. 21A-01-184A,

WHEREAS, VFW POST NO. 8545 desires to lease the premises for the purpose of conducting its meetings and fellowship events;

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties hereby agree as follows:

**DESCRIPTION OF THE PREMISES**

Landlord agrees to lease and Tenant agrees to rent that certain commercial building located at 223 WASHINGTON STREET, which property is hereinafter referred to as the "premises." Specifically not included in this demise is the rear classroom portion of the building.

**TERM OF LEASE**

Tenant agrees to lease the above described premises for a period of one hundred twenty (120) months commencing on the 1<sup>st</sup> day of April, 2011. At the end of such 120 month period the lease shall be renewed for another 120 month period upon the same terms and conditions except as to rent, unless sixty (60) days prior to the end of such initial 120 month period, either of the parties delivers to the other party by certified mail, a written notice of their intention not to renew this lease.

**COMMENCEMENT DATE AND IMPROVEMENTS**

Tenants acknowledges that it has inspected the premises and accepts it in its current condition and "AS IS". Tenant may, at any time during this Lease, with the prior written

consent of the Landlord and upon such terms and conditions as the Landlord shall set forth in writing, make alterations and additions to the premises at its own expense. Any and all sinks, coolers, stove, ovens, kitchen ventilation equipment, or other appliances installed by the Tenant shall remain the personal property of the Tenant and may be removed by them at any time, provided, however, no injury is committed to the premises by such removal.

The above provisions may be modified by a written agreement only, which agreement must be signed by both parties.

## **RENT**

Tenant agrees to pay to Landlord at P.O. 246, SMITHFIELD, VA 23431, rent in the amount of One Dollar (\$1.00) per annum during the term of this lease.

## **REAL ESTATE TAXES**

During the term of this lease, Tenant shall pay all real estate taxes and real estate assessments imposed on the demised premises by the state, county, or other lawful governmental authority. Tenant shall pay all personal property and business taxes imposed by the state, county, or other lawful governmental authority.

## **USE OF PREMISES**

The parties expressly agree that this Lease is executed in order that Tenant may use the premises for meetings, fundraising and fellowship events, and that the demised premises shall not be put to any other use without the prior written consent of Landlord.

## **PARKING**

Tenants acknowledges the undeveloped area surrounding the demised premises is part of a redevelopment plan which may be constructed during the term of this lease. Tenants further acknowledges that there is no off-street parking included with the demise of the premises. All parking must be on-street unless otherwise agreed to in writing on a case-by-case basis by the Town Manager of the Town of Smithfield.

## **SERVICES**

During the term of this Lease, Tenant shall be responsible for providing all utilities to the demised premises, including but not limited to heat and electricity, water and sewer.

## **ASSIGNMENT AND SUBLEASE**

This Lease may not be assigned or transferred, and the premises may not be sublet, either in whole or in part, by Tenant without Landlord's prior written consent.

## **REPAIRS**

Tenant hereby agrees that during the term of this Lease, it shall, in the matter of keeping the building and demised premises in good repair, do the following: keep the interior in good and substantial repair; keep the exterior walls and roof of the building in proper and substantial repair, maintain and repair the HVAC system, and maintain the public or common areas in front of and adjacent to the building.

## **RIGHT OF ENTRY TO INSPECT**

Landlord reserves the right for itself, its agents and employees to enter upon the premises at any reasonable time for the purposes of inspection.

## **INSURANCE**

Landlord shall adequately insure the building for fire, casualty, hazard, and liability. Tenant shall maintain the demised premises in a hazard-free condition. Tenant shall be responsible for insuring its personal property and it shall be responsible for all liability within the demised premises.

## **DAMAGE OR DESTRUCTION BY FIRE OR NATURAL CAUSES**

If, during the term of this lease, the building on the demised premises is destroyed by fire, natural causes, or other casualty, or so damaged thereby that it cannot be repaired with reasonable diligence within sixty (60) days, this lease shall terminate as of the date of such damage or destruction. However, if said buildings can with reasonable diligence be repaired within 60 days, said buildings shall be, by Landlord, repaired as quickly as is reasonably possible, and this lease shall remain in full force and effect; provided, however, that the decision to repair the building shall be solely that of the Landlord and Tenant may not compel Landlord to make such repairs.

## **DEFAULT ON PAYMENT OF RENT**

If Tenant fails to comply with any covenant or provision of this lease and fails to cure within ten (10) days written notice, then Landlord may, at its option, at any time during such default, declare this lease terminated and take possession of the demised premises.

## **SIGNS**

Tenant may display signs identifying the premises with the prior written consent of the Landlord and after approval of the Town's Board of Historic and Architectural Review, which consent shall not be unreasonably withheld.

The parties, having read and understood the provisions of this lease, agree for themselves, their heirs, administrators, personal representatives, executors, successors and assigns to be bound thereby.

This lease is executed by Peter M. Stephenson as Town Manager of the Town of Smithfield on behalf of the town pursuant to a resolution of the Town Council adopted on April 5, 2011.

In Witness Whereof, the parties have executed this lease on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**TOWN OF SMITHFIELD**

By \_\_\_\_\_ (SEAL)  
Peter M. Stephenson, Town Manager

**VETERANS OF FOREIGN WARS POST 8545**

By \_\_\_\_\_  
Eddie R. Rowland, Commander

By \_\_\_\_\_  
Karl F. Liebert, Post Quartermaster

By \_\_\_\_\_  
C. W. White, Building Manager